

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;
Tony Hammond, Vice Chairman;
Mark Acton;
Ruth Y. Goldway; and
Nanci E. Langley

Annual Compliance Report, 2014

Docket No. ACR2014

ORDER GRANTING REQUEST FOR ACCESS

(January 15, 2015)

On January 9, 2015, United Parcel Service, Inc. (“UPS”) filed a motion pursuant to 39 C.F.R. §§ 3007.21, 3007.40, and 3007.50 requesting access to “a limited subset of non-public materials the United States Postal Service filed with the Commission on December 29, 2014, as part of the Postal Service’s Annual Compliance Report (“ACR”).”¹

UPS requests access to this non-public information on behalf of three individuals. Two of the three individuals are outside counsel for UPS and the third is a principal in an outside consulting firm. Motion at 2, n.1. UPS states that its outside counsel and consultants will be in “no position to use the [Exhibit 1 Non-Public Materials] materials for any business purpose” and that by not seeking access for any of its employees, a grant of its Motion will not give UPS “an unfair view of Postal Service confidential

¹ United Parcel Service, Inc.’s Motion Requesting Access to Non-Public Materials Relevant to Compliance Under Protective Conditions, January 9, 2015, at 1 (Motion). The subset of non-public materials to which UPS seeks access is identified on Exhibit 1 to the Motion (“Exhibit 1 Non-Public Materials”).

information.” *Id.* at 7-8. UPS states further that the Exhibit 1 Non-Public Materials is relevant and that access is necessary for UPS to participate effectively in the Annual Compliance Determination process. *Id.* at 5-7. Included with the Motion are copies of Appendix A of 39 C.F.R. part 3007 signed by each of the 3 individuals, acknowledging their willingness to comply with protective conditions. *Id.*, Exhibit 2.

UPS states that it gave actual notice to the Postal Service of the need to file its Motion by January 9, 2015. *Id.* at 4. Under these circumstances, the deadline for filing answers to the Motion was yesterday, January 14, 2015. See 39 C.F.R. §§ 3007.40(b)(1); 3007.50(b)(1); and 3001.15. No one has filed an answer.

The unopposed Motion of UPS is granted and the three individuals named in the Motion are hereby given access to the Exhibit 1 Non-Public Materials.

It is ordered:

1. United Parcel Service, Inc.’s Motion Requesting Access to Non-Public Materials Relevant to Compliance under Protective Conditions is granted.
2. Effective upon the issuance of this Order, the three individuals named in the United Parcel Service, Inc.’s Motion are each granted access to the Exhibit 1 Non-Public Materials.

By the Commission.

Ruth Ann Abrams
Acting Secretary